

**MINUTES  
REGULAR BOARD MEETING  
Friday, January 23, 2015  
209 South Green Street  
Glasgow, KY**

**PRESENT:** Mark Woodward, D.C., President  
Terri Byers-Abston, D.C., Secretary  
Rodney Casada, D.C., Member  
Michael Seibert, D.C., Member  
Karalee P. Oldenkamp, D.C., Executive Director  
M. Keith Poynter, Board General Counsel

A quorum being present and after confirmation of proper notification of the Board meeting, the meeting was called to order by the President at 9:00 a.m. prevailing time.

**ITEM I: MINUTES**

A motion was made by Dr. Abston, seconded by Dr. Casada and passed 4-0 to approve the minutes of the November 7, 2014 board meeting.

**ITEM II: FINANCIAL REPORTS**

A motion was made by Dr. Casada, seconded by Dr. Abston and passed 4-0 to approve the Finance reports for September, October, November and December 2014.

**ITEM III: BOARD OFFICE REPORT**

The Board reviewed the Board Office Report and a motion was made by Dr. Casada, seconded by Dr. Seibert and passed 4-0 to maintain the same delegates and alternate delegates for both the NBCE and FCLB for 2015 as well as to continue membership with the FCLB for 2015. A second motion was made by Dr. Abston, seconded by Dr. Casada and passed 4-0 to approve the purchase of new Quickbooks software and phone system for the board office.

**ITEM IV: LEGISLATIVE CHANGES**

The Board reviewed the language for a legislative amendment to the Motor Vehicle Reparations Act and a motion was made by Dr. Abston, seconded by Dr. Seibert and passed 4-0 to file the bill in February when the legislative session reconvenes. The Board also reviewed drafted language for an emergency amendment for 201 KAR 21:090, which would remove specific coursework. A motion was made by Dr. Casada, seconded by Dr. Abston and passed 4-0 to move forward with filing of the emergency and ordinary amendments to this administrative regulation.

**ITEM V: MOTION TO AMEND AGENDA FOR CHARLES O'NEILL, D.C.**

A motion was made by Dr. Abston, seconded by Dr. Seibert and passed 4-0 to amend the agenda to discuss the initial licensure of Charles O'Neill, D.C. Dr. O'Neill was present and addressed the board concerning his application. A motion was made by Dr. Abston, seconded by Dr. Seibert and passed 4-0 to go into closed session pursuant to KRS 61.810 (1)(j). A motion was next made by Dr. Casada, seconded by Dr. Abston and passed 4-0 to resume open session. Dr. Abston then made a motion to grant Dr. O'Neill licensure. This motion was seconded by Dr. Casada and passed 4-0.

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ITEM VI: ADMINISTRATIVE CASES 12-032/12-038

A motion was made by Dr. Seibert, seconded by Dr. Casada and passed 4-0 to have Brian Judy, counsel for this case, to file a motion in the Supreme Court to withdraw the request for discretionary review.

ITEM VII: ADMINISTRATIVE CASE 13-009, 13A-006, 14-014

This case is still being negotiated. A final Pre Hearing Conference has been scheduled for February 9, 2015.

ITEM VIII: ADMINISTRATIVE CASE 13-024

This case is continued awaiting a ruling by the Hearing Officer.

ITEM IX: MOTION TO AMENDA AGENDA FOR CHAD FAULKNER, D.C.

A motion was made by Dr. Casada, seconded by Dr. Abston and passed 4-0 to amend the agenda to discuss the license activation of Chad Faulkner, D.C. Dr. Faulkner was present and addressed the board concerning his request for activation. A motion was made by Dr. Abston, seconded by Dr. Casada and passed 4-0 to go into closed session pursuant to KRS 61.810 (1)(j). A motion was next made by Dr. Abston, seconded by Dr. Casada and passed 4-0 to resume open session. Dr. Abston then made a motion to activate Dr. Faulkner's license, with the requirement that he complete the Kentucky Jurisprudence course within the next twelve months. This motion was seconded by Dr. Woodward and passed 4-0. A motion was made by Dr. Casada, seconded by Dr. Seibert and passed 4-0 to resume the agenda.

ITEM X: ADMINISTRATIVE CASE 13-028

This case is continued.

ITEM XI: ADMINISTRATIVE CASE 14-006

This case is continued.

ITEM XII: ADMINISTRATIVE CASE 14-011

This case is pending receipt of information regarding criminal charges.

ITEM XIII: ADMINISTRATIVE CASE 14-020

This case is continued pending further investigation.

ITEM XIV: ADMINISTRATIVE CASE 14-027

This case is continued pending outcome of a criminal case.

ITEM XV: ADMINISTRATIVE CASE 14-028

Upon review of the response to the proposed agreed order, a motion was made by Dr. Casada, seconded by Dr. Seibert and passed 4-0 to notify Dr. Bee that he will not qualify to be a preceptor this fall, since he will not have been in practice for five years, so the Agreed Order will not be the only prohibiting factor. The proposed agreed order stands, which if accepted will close this case.

ITEM XVI: ADMINISTRATIVE CASE 14-029

The Board reviewed the Complaint and Notice of Hearing which was signed by the Board President for filing.

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ITEM XVII: ADMINISTRATIVE CASE 14-030

This case is continued.

ITEM XVIII: ADMINISTRATIVE CASE 14-031

The Board reviewed this case and a motion was made by Dr. Abston, seconded by Dr. Casada and passed 4-0 to dismiss the case. The licensee shall be notified that the Board will continue to do site visits and/or request copies of his radiological studies to verify appropriate quality.

ITEM XIX: VIOLATION OF AGREED ORDER  
ADMINISTRATIVE CASE 11-009

The Board reviewed a settlement offer for this case and a motion was made by Dr. Seibert, seconded by Dr. Casada and passed 4-0 to reject the offer.

ITEM XX: MALPRACTICE CASE 14M-001

This case is continued, waiting for response from a proposed agreed order. If the agreed order is accepted, this case shall be closed.

ITEM XXI: MALPRACTICE CASE 14M-002

This case is continued, waiting for response from a proposed agreed order. If the agreed order is accepted, this case shall be closed.

ITEM XXII: CONSIDER CORRESPONDENCE FROM ROBERT MOORE, D.C.  
No Board action was necessary.

ITEM XXIII: ADMINISTRATIVE CASE 14-033

Upon review of the complaint and the licensee's response, a motion was made by Dr. Abston, seconded by Dr. Casada and passed 4-0 to dismiss this case.

ITEM XXIV: ADMINISTRATIVE CASE 14-034

Upon review of the complaint and the licensee's response, a motion was made by Dr. Seibert, seconded by Dr. Casada and passed 4-0 to dismiss this case.

ITEM XXV: ADMINISTRATIVE CASE 14-035

The Board reviewed the complaint and response. A motion was made by Dr. Casada, seconded by Dr. Seibert and passed 4-0 to dismiss this case.

ITEM XXVI: ADMINISTRATIVE CASE 14-036

Upon review of the complaint and the licensee's response, violations of KRS 312 were found. A motion was made by Dr. Seibert, seconded by Dr. Casada and passed 4-0 to offer an agreed order at the terms discussed for settlement of this case.

ITEM XXVII: ADMINISTRATIVE CASE 14-037

Upon review of the complaint and the licensee's response, a motion was made by Dr. Abston, seconded by Dr. Casada and passed 4-0 to dismiss this case.

ITEM XXVIII: MALPRACTICE CASE 14M-003

The Board reviewed the malpractice case, patient records and the licensee's response. A motion was made by Dr. Abston, seconded by Dr. Casada and passed 5-0 to dismiss the case.

ITEM XXIX: MALPRACTICE CASE 14M-004

The Board reviewed the malpractice case, patient records and the licensee's response. A motion was made by Dr. Abston, seconded by Dr. Casada and passed 4-0 to dismiss the case.

ITEM XXX: ADVERTISING CASE 14A-009

The Board reviewed the advertisement and the licensee's response. A motion was made by Dr. Abston, seconded by Dr. Casada and passed 4-0 to dismiss the case.

ITEM XXXI: INITIAL LICENSE APPLICATION  
RE: TYLER SIMMONS, D.C.

The Board reviewed the initial application of Dr. Simmons. A motion was made by Dr. Woodward, seconded by Dr. Abston and passed 4-0 to grant Dr. Simmons licensure.

ITEM XXXII: REVIEW SIGNAGE RE: JOHN KRAWCHISON, D.C.

The Board reviewed signage from Dr. Krawchison. A motion was made by Dr. Casada, seconded by Dr. Seibert and passed 4-0 to inform Dr. Krawchison that his sign over the entrance to his facility must include his name to be compliant.

ITEM XXXIII: ADVERTISEMENTS TO REVIEW

The Board reviewed advertisements and a motion was made by Dr. Seibert, seconded by Dr. Abston and passed 4-0 to advise Align Life chiropractors that the facility name must include the word 'chiropractic or chiropractor' and the name of the owner or operator in order to be compliant.

ITEM XXXIV: SET BOARD MEETING DATES

The Board set future board meetings for June 5, August 28, and October 30, 2015. The Board also set the next Jurisprudence course for August 29, 2015.

ITEM XXXV: TRAVEL AND PER DIEM

A motion was made by Dr. Seibert, seconded by Dr. Casada and passed 4-0 to approve the travel expenses and per diems relating to today's meeting.

ITEM XXXVI: ADJOURNMENT

There being no further business to come before the Board, upon motion made by Dr. Seibert, seconded by Dr. Abston and passed 4-0, the meeting was adjourned.

Respectfully submitted:

Karalee P. Oldenkamp, D.C.  
Executive Director

ATTESTED:

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Mark Woodward, D.C.

President